

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE	:	
ALYSSE L SAUCEDO	:	
Debtor(s)	:	
	:	CHAPTER 13
JACK N. ZAHAROPOULOS	:	
CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	CASE NO. 1-24-03158 HWV
	:	
ALYSSE L SAUCEDO	:	
Respondent(s)	:	

TRUSTEE’S AMENDED MOTION TO DISMISS CASE WITH PREJUDICE

AND NOW, on December 24, 2024, comes Jack N. Zaharopolous, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, who, by and through his Attorney, Douglas R. Roeder, Esquire, moves this Honorable Court for dismissal of the above-captioned Chapter 13 bankruptcy case with prejudice in accordance with §§521 and 1307(c) of 11 U.S.C, due to failure to file documents. In support of this Motion, Trustee states as follows:

1. On December 6, 2024, Debtor filed this case in error with the Eastern District of Pennsylvania, which case was assigned Docket No. 24-14158.
2. The Notice from the Court dated December 6, 2024 at Doc. 6 established a due date for Debtor to file documents of December 20, 2024.
3. Debtor failed to file documents, namely the Means Test and Plan, by December 20, 2024.
4. In addition to the Petition filed in this case, Debtor filed Petitions docketed to the following cases:
 - a. Case Number: 1-24-2899-HWV
Counsel: PRO SE
Filing Date: 11/08/24 Date Dismissed: 12/03/24
Total Payments: \$0.00 Chapter: 13
Result: Dismissed due to Debtor’s ineligibility to be a debtor under 11 U.S.C. §109(h)

- b. Case Number: 1-24-02518-HWV
Counsel: PRO SE
Filing Date: 10/02/24 Date Dismissed: 11/05/24
Total Payments: \$0.00 Chapter: 13
Result: Dismissed for Failure to File Information
- c. Case Number: 1-24-02092-HWV
Counsel: PRO SE
Filing Date: 08/26/24 Date Dismissed: 10/01/24
Total Payments: \$0.00 Chapter: 13
Result: Dismissed for Failure to File Information
- d. Case Number: 1-24-01745-HWV
Counsel: PRO SE
Filing Date: 07/18/24 Date Dismissed: 08/20/24
Total Payments: \$0.00 Chapter: 13
Result: Dismissed for Failure to Pay Filing Fee

Therefore, Movant believes and avers that, under the circumstances, Debtors demonstrated substantial abuse and a lack of good faith pursuant to §§521 and 1307(c).

Notice and other instructions are included with this Motion to Dismiss with Prejudice.

WHEREFORE, Movant requests this Honorable Court to:

1. Dismiss this case in accordance with 11 U.S.C. §§521 and 1307(c); and
2. Dismiss this case with prejudice with regard to Debtors filing a subsequent Petition under the Bankruptcy Code in this District without prior leave of this Court for a period of 365 days from the entry of this Dismissal.

Respectfully submitted:

/s/ Douglas R. Roeder, Esquire

Attorney ID: 80016

Attorney for Trustee

Jack N. Zaharopoulos

Standing Chapter 13 Trustee

8125 Adams Drive, Suite A

Hummelstown, PA 17036

Phone: (717) 566-6097

Email: droeder@pamd13trustee.com

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ORDER DISMISSING CASE WITH PREJUDICE

Upon consideration of the Trustee's Motion to Dismiss Case with Prejudice it is hereby ORDERED that the above-captioned bankruptcy be and hereby is DISMISSED WITH PREJUDICE. Debtor is hereby BARRED from filing in this district for a period of 365 days from the date of this Order without prior Court Order.

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AMENDED NOTICE

NOTICE IS HEREBY GIVEN that Jack N. Zaharopoulos, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss with Prejudice pursuant to your Chapter 13 bankruptcy filing.

If you object to the relief requested, you must file your objection/response on or before January 7, 2025 with the Clerk of Bankruptcy Court:

Sylvia H. Rambo United States Courthouse
Bankruptcy Courtroom 4B, 4th Floor
1501 North 6th Street
Harrisburg, PA 17102

and serve a copy on the Chapter 13 Trustee for the Middle District of Pennsylvania:

Jack N. Zaharopoulos
Office of the Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036.

If you file and serve an objection/response within the time permitted, a hearing will be held on **January 22, 2025 at 9:35 AM at the Bankruptcy Courtroom 4B, 4th Floor, 1501 North 6th Street, Harrisburg, PA.** If you do not file an objection/response within the time permitted the Court will deem the motion unopposed and proceed to consider the motion without further notice or hearing, and may grant the relief requested.

Date: December 24, 2024

/s/ Douglas R. Roeder, Esquire

Attorney ID: 80016

Attorney for Trustee

Jack N. Zaharopoulos

Standing Chapter 13 Trustee

8125 Adams Drive, Suite A

Hummelstown, PA 17036

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CERTIFICATE OF SERVICE

AND NOW, this 24th day of December 2024, I hereby certify that I have served the foregoing by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

UNITED STATES TRUSTEE
228 WALNUT STREET, SUITE 1190
HARRISBURG, PA 17101

SERVED ELECTRONICALLY

ALYSSE L. SAUCEDO
6524 FAIRFAX DR
HARRISBURG, PA 17111

SERVED VIA FIRST CLASS MAIL

/s/Elizabeth Joyce
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee